PROMPT ACTION REQUIRED, LEAVING GOV-ERNMENT OF THE PHILIPPINES TO BE DISCUSSED HEREAFTER - OTHER

SPEECHES IN THE SENATE.

INV TELEGRAPH TO THE TRIBUNE. Washington, Jan. 27.-Mr. Platt, of New-York, this afternoon broke the spell of silence which has made his career in the Senate more or less notable by delivering a written speech on the policy of territorial expansion. The junior New-York Senator is in hearty accord with that sentiment which sees in the transfer to the United States of Spanish sovereignty in the Philippines the only rational and prudent method of meeting the responsibilities entailed on this country by its victory over Spain. In his speech to-day Mr. Platt argued vigorously for the prompt ratification of the terms of peace agreed on at Pavis, taking the ground that the future government of the Philippines should be discussed hereafter as a question of purely domestic policy and interest. No other issue was before the Senate to-day, Mr. Platt contended, than the simple one of transferring responsibility in the archipelago from Spain to the United States, and on that issue practicalminded statesman could find no substantial pretext to disagree. Mr. Platt's speech was short and clear, and wholly matter of fact in tone. It was listened to with interest by a large num-

Additional speeches on the question of expansion were announced to-day. Mr. Spooner will discuss the various resolutions now before the Senate on Wednesday, February 1; Mr. Money on Friday, February 3, and Mr. Chilton on Saturday, February 4.

THE PROCEEDINGS IN DETAIL.

Mr. Hoar, of Massachusetts, at the opening of to-day's session of the Senate presented the resolutions adopted at a meeting of certain citizens of Philadelphia protesting against any aggressive action on the part of the Government in the Philip-

Mr. Spooner, of Wisconsin, gave notice that he would on Wednesday next address the Senate on the various resolutions respecting expansion, and M. Rawlins, of Utah, gave a like notice for Thurs-

Mr. Mason, of Illinois, asked unanimous sent for a vote on his resolution declaring it to be the policy of the United States not to attempt to govern the people of any other nation next Friday

Mr. Carter, of Montana, objected. A like request was made by Mr. Hoar with respect to his resolution declaring that the Filipinos

ought to be free and independent. Carter again objected, expressing at the same time his regret at what he regarded his duty in making the objection. Mr. Carter understood, he said, that the resolutions pending in the Senate on the expansion question bad been presented as texts on which Senators would base remarks. He thought it proper that the resolutions lie on the table until late in the session, in order that all who

MR. HOAR IRRITATED.

Showing evidence of annoyance, Mr. Hoar said "I desire to give notice that if we are not to have a vote on the question presented by this resoluquestion which is immediate and practical, I will keep my resolution or that of the Senator from Illinois (air. Mason) before the Senate during every morning hour until we obtain a vote upor

Mr. Gallinger, of New-Hampshire, intimated that ng out his plan to keep the resolutions before the Mr. Carter said he viewed with regret the irrita-

tion of Mr. Hoar. He thought it would be conthat the pending resolutions presented no great or important question to the American peoions only of the Senate-mere opinions of that He pointed out the important business before the Senate, and urged that the time be not taken up with such matters. The following resolution was offered by Mr.

Sullivan, of Mississippi, who asked that it lie on That the ratification of the pending treaty with

That the ratification of the pending treaty with Spain shall nowise determine the policy to be nursued by the United States to regard to the Philippines, nor shall it commit this Government to a colonial policy, nor is it intended to embarrass the establishment of a stable, independent government by the people of those islands whenever conditions make such proceeding hopeful of successful and desirable results. After some parliamentary sparring Mr. Mason

obtained the floor and spoke briefly in advocacy of vote on his resolution. He said there were peothe desired to give the friends of his resolution an opportunity to express their views by their votes Mr. Mason, "have not been delaying the treaty. the friends of the treaty think by refusing to afford us a chance to express ourselves and our opinions they will gain time and strength they must conon my resolution I shall consider myself most unfairly treated. We have never delayed the treaty twenty-four hours. I'm ready to vote on it now. But I am anxious to secure a vote first on my

SENATOR PLATT'S SPEECH.

After waiting for nearly half an hour for an opto speak, Mr. Platt, of New-York, was recognized for his announced speech bearing on the duced. He spoke from notes, and in a clear, resoment voice. He received the closest attention from his colleagues on both sides of the chamber and a large audience in the galleries. Mr. Platt

I suppose I may be permitted to enjoy the same latitude of discussion and the same liberty of expression which have distinguished the remarks of other Senatora during this debate. It is scarcely possible to talk to the resolution of the Senator from Missouri without saying something concerning the treaty which is being condidered in executive session. Indeed, the resolution may almost be looked upon as an amendment to the treaty. If the resolution were to pass and the treaty were then to be ratified, the resolution would be nothing less than a definition of what the treaty must be understood to mean. And in voting against the resolution, which will be my course when the occasion arrives. I desire to be understood as voting against any limitation upon the terms of the treaty.

In olden times a leper was stoned out of town; in modern times a sick man is stoned out of all his chances in life by the crowd of busy, hustling men who have no place and no use for him. A man who has billions times and itself. bilious turns and tired feelings and frequent



These things are bad ough in the self-disgust enough in the self disgust and wretchedness they in volve if they do not go any further. But you never volve if they do not go any further. But you never know what is going to develop in a half-noarished, bile-poisoned constitution. If a man as soon as he feels that he is not getting the forceful strength and energy out of his food that he ought to, will begin taking Dr. Pierce's Golden Medical Discovery, he will soon put himself in the position there he can do a man's work easily and cheerfully. His appetite will be sharpened; his liver invigo.

where he can do a man swon where he can do a man swon where his appetite will be sharpened; his liver invigorated; his digestion strengthened; an edge put on his whole nutritive organism. Those subtle poisons whole nutritive organism. Those subtle poisons which debilitate the entire organism and invite consumption and a host of other diseases, will be driven out of the system; and he will gain plenty of pure nourishing red blood, muscle-power and nerve-force. In short he will be a man among men.

There are hundreds of delusive temporary stimulants, "malt extracts," sarsapartillas and compounds, which are malt extracts, "sarsapartillas and compounds, which are but an honest druggist will give you the "Goiden Medical Discovery" when you ask for it. If well-informed, he knows that its sales have steadily increased for thirty years and that it is the invention of an educated authorized physician who has devoted a lifetime of active practice and profound atedy of chronic diseases.

the Constitution its warrant for opposing new things. It has always been a superior class of intellect, without doubt garnest and sincere, but not always to be appreciated by ordinary minds that believe in finding a practical solution for practical questions as they arise one after another in the course of National experience, and that starts out in its consideration of all public questions with the assumption that the founders of our Government did not intend it to be anything less than a competent Government, Nor is it new things only which are so resolutely opposed in the name of the fathers. It is the old things with new faces as well. Here we have been for a whole century annexing territory, annexing with a club or with a caress, just as the necessities demanded, and yet Senators are discovering to one another the most acute distress over what they boldly describe as a "departure from time-honored traditions."

Mr. President, it was not the main purpose of the makers of the Constitution to point out a way in accordance with which the problems of government were to be solved. That purpose, no doubt, was in their minds to some extent—but to an extent which must have had its boundaries defined in their own experience. And even then they allowed it to appear in the Constitution with reluctance and obvious misgivings. The main purpose was to devire a plan of government, and not to ordain policies; and where they seemed to be ordaining policies, where they departed from the main work of establishing the bodies which together should form the Government and of distributing to each its particular functions, they were doing precisely what every other legislative assembly before their time and subsequently thereto has had to do—they were satisfying popular prejudices and looking forward to the day when their work would be passed upon by minds less trained than their own in the consideration of strain their own. gether should form the Government and of distributing to each its particular functions, they were doing precisely what every other legislative assembly before their time and subsequently thereto has had to do—they were satisfying popular prejudices and looking forward to the day when their work would be passed upon by minds less trained than their own in the consideration of great principles and more subject than theirs to temporary and local prejudices. I do not mean to suggest, Mr. President, that such legislation as does occur in the Constitution is any less binding upon us because it was put there as a concession to the sentiment of the hour, but I do affirm without hesitation that the inferences which we draw now from such legislation, limiting the power of the General Government and tending to render our Government less competent than other governments, need to be drawn carefully and need to be considered in the light of the whole scheme of Federal authority. It is true that we are a Government of limited power, but the purpose of the limitation was simply to reserve to the people of the States such ample power as would enable them to determine their own affairs in their own way—such affairs, I mean, as were not also the affairs of the people of other States; and it was not the purpose of such limitation binder the Federal Government in providing as might seem best and wisest for the general welfare of the whole country.

POWERS OF THE GOVERNMENT,

POWERS OF THE GOVERNMENT.

It is surprising, Mr. President, how often it has been necessary to make this argument, and to call attention to these distinctions, and yet, I suppose the temptation is a natural one to make the phrase 'a Government of limited powers" mean a Govern but forbidden to do whatever each man op-That thought must have occurred, it seems , to every Senator who heard the proposition read here that we had the right under the

to the happiness and presperity of the people concerned.

The disorder now existing in the Philippine Islands, to which Senators who are opposing the treaty may well afford to consider how far they are contributing; the unwillingness of the armed natives to accept American authority, does not constitute, in my mind, the slightest ground on which to base a vote against the Paris agreement. On the contrary, it affords a new reason why our action should be the more prompt and unanimous. No Senator has had the hardthood to suggest that we shall now return these islands to the Spanish Government, and no other disposition of them than that is inconsistent with a vote to confirm the treaty. Imputations have been made here upon the purpose of those who advocate the assumption by the United States of Philippine sovereignty which can scarcely be genuine. All this talk about forcing our government upon an unwilling people, all this eloquent invocation of the spirit of the Declaration of Independence, is far and away from any real point that concerns the Senate in this discussion. No Senator can suppose that there exists an American statesman who approaches the consideration of the Philippine problem with any other than the most benevolent intentions concerning the Filippines and their future. There are reasons why the partyes of these islands, after their experience

FOR THE GOOD OF THE FILIPINOS

He knows that there is no American in all this native of the Philippine Islands than his free enjoythe wake of American rule there would come to the

or which adds one whit to the embarrassment of the Administration in the trying situation by which it is confronted.

Mr. President, I do not knew, and I do not think any one else can knew, just what ought to be done with the Philippine Islands beyond this—that we ought as instantly as possible to complete the with drawal of their sovereignty from the Kingdom of Spain, and that we ought ourselves to assume its obligations and prudently to discharge them until we have had full opportunity in our own councils to determine their best disposition. This is all that the Treaty of Paris proposes to impose. It is all that the Treaty of Paris proposes to impose, It is all that the Treaty of Paris proposes to impose. It is all that the more than a safe and conservative policy advises. It is no less thon our public colligations require. It is a plain, clear, positive duty. It is one of those duties that are not to be got rid of by evasion nor even by denial. It would remain after you had rejected the treaty. It less in the nature of the situation. Your Army, your Navy and your flag are at Manila. You can add to their dangers if you will. But their duty abldes, and the will of the Nation must be done.

At the close of Mr. Platt's speech notices of

At the close of Mr. Platt's speech notices of speeches on the expansion question were given by Mr. Money, of Mississippi, for next Friday, and our relations. Mr. Chilton, of Texas, for Saturday, February 4. ANTI-EXPANSIONIST METHODS.

Mr. Fairbanks, of Indiana, precipitated some respect to the anti-expansionist propaganda. He said that on Thursday certain clippings from agricultural newspapers from various parts of the country were inserted in "The Record." "There is a very systematic and subtle attempt to mislead the people of the country with respect to the question of expansion." he said, "and the agricultural papers are being used as a medium for this misinformation." Mr. Fairbanks said that he had been credibly informed that Herbert Myrick, the editor of an agricultural newspaper in Springfield. Mass., had sent to agricultural newspapers throughout the country the letter of Andrew Carnesie to Secretary Wilson in opposition to expansion, and had urged them to print it and comment favorably upon it, the space in their papers to be paid for at the usual rates. He then had read some of the communications sent out by those who were opposed to the policy of expansion, remarking that he desired simply to put the Senate in pessession of the information contained therein without commenting on it.

Mr. Chapdler, of New-Hampshire, inquired if Mr. Fairbanks could inform the Senate who paid for the publication of this literature and whether he objected to the payment for it by anybody who was able to do so.

"The matter—some of it, I may say," replied Mr. Fairbanks, "is being systematically published and said that on Thursday certain clippings from agri-

he objected to the payment for it by anybody who was able to do so.

"The matter-some of it, I may say," replied Mr. Fairbanks, "is being systematically published and sent to Senators in this Chamber at the expense of somebody. I do not know and do not say who pays the bills. It was my desire simply to bring the matter to the attention of the Senate."

Mr. Hoar said that the matter which had appeared in the agricultural papers with reference to expansion was simply being supplied to the Senate for its information and as a guide, so far as it might be considered to be such to Senators as to the views of the great agricultural class of this country. If there could be, he said, a more absolutely harmless method of communicating public ophion he did not know what it was. He indicated that the expansionist press was being employed to the same end, and said he did not enter any objection to it.

opinion he did not know what it was. He indicated that the expansionist press was being employed to the same end, and said he did not enter any objection to it.

Mr. Chandler inquired of Mr. Hoar if he knew of any man with more or less money who was paying for the expansion prepaganda.

Mr. Hoar replied that he was merely stating facts, and had no desire to impuga the motives of anybody.

Consideration of the Pension Appropriation bill was then resumed, Mr. Gorman desiring to submit some remarks on it. After calling attention to the large amount carried by the measure-about \$145,000,000-Mr. Gorman said that notwitistanding the fact that if per cent of the soldiers who had been and were still engaged in the war with Spain in tropical countries were suffering from illness that would make them proper applicants for pensions, no provision had been made in the pending measure for this increase in the pension roll.

At this point Mr. Gorman was interrupted by Mr. Hale, of Maine, who said that he had been informed by a prominent officer of the Army that if the troops were not recalled from Cuba before June of July, at the latest, the entire Army in the island would be down with illness.

Continuing, Mr. Gorman said that the war with Spain would swell the pension roll by at least fifty thousand names if the troops were not recalled from tropical countries by the first of next September. "Within three years from this date," said Mr. Gorman, in conclusion, "the pension roll will amount to \$165,000,000 a year. If you add to that the cost of maintaining your Army (\$1,000 a man), the American Republic will in the year fact expend more for its Army and pensioners than any other nation on the face of the earth. That is a fact which the American people will have to face, and they ought to know now, in sevance, what is coming to them if the schemes and projects that are being forced upon us are carried out."

The Pension bill was then passed.

At 2:07 p. m., on motion of Mr. Davis, chairman of the Committee on Foreign Relations

GEN. EAGAN'S TRIAL ENDED.

A VERDICT REACHED, BUT NOT MADE PUBLIC.

SECRETARY ALGER AMONG THE WIT-NESSES EXAMINED-ARGUMENTS FOR THE DEFENCE AND PROSECU-

TION - COURSE OF FUR-

THER PROCEFDINGS. Washington, Jan. 27.-The case of Commissary-General Charles P. Eagan, charged with conduct unbecoming an officer and a gentleman and with conduct tending to the prejudice of good order and military discipline, is now in the hands of the court-martial appointed to try him. To-day the taking of testimony was closed and arguments of counsel were submitted. The trial lasted three days, and consumed less than eight hours of actual sitting. A session behind closed doors of an hour or so sufficed for the Court to reach a conclusion and embody it in a report. What the verdict was is altogether a matter of speculation, and, officially at least, will not be made public by the Court, military regulations requiring that its finding shall go through the prescribed channels and be kept secret until action is had and promulgated by

the proper reviewing authorities. The Court was in executive session for a little over an hour, and in this brief space of time reached its conclusions, for it soon became known when the doors were reopened that a verdict had been reached, or, in military parlance, the court-martial had made its findings. This was confirmed by the announcement from the Judge-Advocate that the Court had adjourned without day. It can be recalled only to correct a fault in the proceedings, which is a

Of the nature of the verdict or findings nothing is known positively outside of the members of the court, who are under oath to keep the proceedings secret. This secrecy is maintained for all time by the Court, but there is nothing to prevent reviewing officers from making the verdict public, though it is also the custom for them to refrain until the last chapter has been written and the conclusion of the Court is ready to be officially promulgated.

In the regular order the findings and proceedings must now be carefully gone over by Judge-Advocate Davis. He thought it was possible this afternoon to finish his task to-moror Monday. He will place the papers in the hands of Judge-Advocate-General Lieber. whose duty it will be to make a careful examination of every part of the record and findings, with a view to the detection of any irregularities in the forms. Presuming that he finds these things regular, he will forward the papers to the Secretary of War with his indorsement, if he sees fit to add one, and the latter will act finally "by direction of the President," according to the form of practice adopted in Secretary Lamont's time.

It is possible for the papers to pass through the hands of General Miles at some stage in the proceedings, he acting also in the capacity of a reviewing authority, but this is not a uniform practice, and there was a notable exception in the Carter court-martial.

THE PROCEEDINGS OF THE COURT.

The first witness before the Eagan court-martial o-day was David R. McKee, of this city, for many years the agent of The Associated Press. He had known General Eagan for about forty-five years. They were intimate friends as boys and young men, though they at times had not seen each other for long intervals. During the period between the time General Miles gave his testimony before the War Investigating. Commission and the day on which General Bugan made his statement the witness saw him two his three times. He then seemed careworn

What impression did the language he used make

Alarmed because it seemed to me, from my long acquaintance with him, my knowledge of his charmy knowledge that he was always courteous and scrupulously correct in his language, he had lost his mind. My impression was one of absolute fear and belief that under some extraordinary strain e variance with his usual languas five years I have known him. I have never heard him use a coarse word or vulgar epithet."

"Did you see General Eagan after he had made

"Yes, sir."

"What took place then?" The prosecution offered no objection, and the wit-

"I expressed to General Eagan my profound regret that he had given offerance to such language. I spoke to him in a reproachful manner for not speaking to me about the matter before he testified. and giving me the opportunity to 'blue-pencil' his statement. General Engan replied in substance that he wished he had felt at liberty to consult me. He felt that he was restrained from doing so, however, on account of the friendly relations existing between myself and General Miles and the latter's

IMMUNITY FOR WITNESSES.

Major S C Mills, the recorder of the War Intestigating Commission, was recalled, and in answer to inquirtes said that so far as he knew the order of the President granting immunity to wit-

At this point the judge-advocate read the President's eddress on the assembling of the War Investigating Commission, which, however, was unsigned, and the witness was asked whether any other instructions had been given. He replied that there had not been. The witness was present at the meeting between the President and the members of he Commission. He said: "The matter of immu nity for witnesses came up; I think it was called up by Mr. Dodge, and the President said that witnesses who should appear before the Commission could do so without any fear of punishment or per-

SECRETARY ALGER A WITNESS.

Secretary Alger was next called to the witness stand. He said that he recalled a conversation he had with General Eagan shortly after General Miles had given his testimony. General Eagan came into his office in an excited state of mind and said it was his wish to prefer charges against General Miles or what he had said. "I told him," said Secretary Alger, "that under the President's order granting immunity to officers who testified before the Commission he could not do so."

Q .- Mr. Secretary, dld you receive any instrucs from the President on this point? A .- He said o me immunity had been granted to witnesses. Secretary Alger was then excused, the members

of the court rising to their feet as he withdrew.

Colonel Alexander and Colonel Davis were recalled, and they said that never during their acquaintance with the accused officer had they known im to use vulgar or profune language. He always had been correct and clean in speech, and they had never known him to use such language as was sed in his statement before the War Commission EAGAN'S MIND APPARENTLY AFFECTED. Dr. William E. Hopkins, of California and New-York, General Eagan's son-in-law, was called. He ame to Washington after General Miles had given He said he then observed that General Eagan was very restless and nervous, and could not eat or sleep normally. At the table he would at times stop cating and apparently would lose himself in thought. He was intensely nervous, and showed signs of congestion of certain parts of the brain, The witness had had long talks with his wife about her father, and he told her that her father must be carefully watched and they must be prepared for anything. General Eagan's mind was non-receptive at this time, and the witness believed that something very serious might happen. General n consequence of the things that had been said bout him. He felt that his honor was destroyed,

and that he did not want to see people. General Eagan, the witness further testified, did not want to go into a streetcar, and was ashamed to meet any one, and keenly felt his disgrace. He felt that General Miles had destroyed his honor

and that his life work was destroyed. In all the LUDLOW ANSWERS MILES. time the witness had known General Eagan he had not known him to use such language as was used in his statement.

GENERAL EAGAN'S DAUGHTER'S STORY. Mrs. Hopkins, the daughter of General Eagan, was the next witness, counsel explaining that he

alled her against the wish of her father and husband, and only because her absence from the trial might cause comment. She said her father came home one afternoon, and, standing in the doorway with a paper in his hand, exclaimed; "General Miles has crucified me!" She could never forget that scene. Since that time her father had been a greatly changed man. He could think and talk nothing else than that General Miles had ruined He was from that time in an alarming condition, and when the witness was compelled to go to New-York she had returned almost at one to help care for her father. She spoke with great feeling in regard to her father's changed condition and received the closest attention from the Court Worthington then read General Eagan's milltary record from the Army Register, and also read an interview with General Miles, printed in a New-York newspaper soon after he had made his statement before the War Commission. The defend then rested its case and a recess was taken.

SUMMING UP FOR THE DEFENCE. Mr. Worthington after recess began the argument for General Eagan. He began by saying that he contended that by the law of this country-civil, criminal or military-the defendant could not War Investigating Commission. He quoted from a number of high authorities to show that if the words spoken were pertinent and material to the cause in hand and were not objected to by the tribunal hearing them, and were not malicious in character, the witness could not be held answer able. The remedy, said Mr. Worthington, lies with the tribunal before which General Eagan gave his testimony. If he had been told by that Commis sion that his language was exaggerated and inadmissible, he would have withdrawn his words a once, but at this late day to call him to an account unfair and unwarranted by law. Mr. Worth on then called attention to the President's pub ington then called attention to the President's public statement that witnesses were to have immunity, and declared that this guarantee was claimed by the accused officer. Under these circumstances, he believed that General Eagan was perfectly protected against any results such as had been forced upon him by this Court. He had been accused of a heinous crime, and in his statement to the Investigating Commission had defended his honer and innocence, as he had a perfect right to do, but using stronger language, perhaps, than he should have used.

have used.

Mr. Worthington next quoted from authorities to show that to convict the accused of conduct unbecoming an officer and a sentleman, the offence must be such that any brother officer who should after his conviction take him by the hand or visit his home or be on intimate terms with him would himself be disgraced thereby and render himself unfit to associate with gentlemen and men of honor. The indorsements of several high reviewing officers in the United States Army on the findings of courts-martial were quoted as showing that the offence must be exceptionally heimous, and such as would unfit the accused for association with right-thinking men. One case cited was that of an officer who struck another who was a cripwith right-thinking men. One case cited was that of an officer who struck another who was a cripple and called him a liar. General Sherman, who reviewed this case, disapproved the findings of dismissal of the court, and said in effect that this penalty should not be imposed unless the offence unfitted the perpetrator for the society of gentlemen. While he regarded the action of the officer as properly subjecting him to a severe penalty, yet the extreme penalty of dismissal should not be imposed. The fludings were disapproved.

as properly subjecting him to a severe penalty, yet the extreme penalty of dismissal should not be imposed. The findings were disapproved.

Counsel then reviewed the statement made by General Miles, and characterized it as without a parallel in the history of the country. He commented on the statement that General Miles pretended to have known about the so-called beef frauds for three months before he had spring them on the country in his testimony before the War Investigating Commission. During that time, said counsel, General Miles had not communicated the alleged facts to the responsible officers, nor taken any steps to put a stop to them.

Mr. Worthington also reviewed at length the testimony which had been given, tending to show that General Eagan's mind was so seriously affected by the accusations which had been made against him that his friends feared that he would go out in the street and shoot General Miles on sixht. He was no longer himself, and no longer could control his feelings or his actions. In closing his address, which lasted over an hour, Mr. Worthington made a strong plea for the accused officer, asserting that through this whole controversy he had conducted himself as an honest man goaded to desperation by the cruel and unjust accusations of his superior officer. desperation by the cruel and unjust accusations his superior officer.

Colonel Davis, the judge-advocate, closed the arthe beginning than that all the facts and the whole that if the accused thought himself aggrieved by

grossly insulting and an undoubted increasing to the Army Regulations, as charged.

On the question of immunity the judge-advocate said that in all courts the language, in order to be privileged, must be pertinent to the lassue, it could be included in a military reguprivileged, must be pertinent to the lasue; it cound not be slanderous or in violation of military regulations. This was the universal rule. The War Investigating Commission, which had been created by the order of the President, was an informal tribunal, necessarily so by reason of the great scope give, to its investigation, and it was not such a tribunal as could punish for contempt. It therefore might or might not receive any statement which might be presented. In this case it had returned the statement to General Eagan, declining to receive a paper of the character presented by him.

him.

He referred to General Miles's statement regarding had beef, and said that the commanding officers of fouriern regiments had declared the beef turnished to be unit for food. Whatever the facts, this testimons could not be ignored. Although General Eagan had been criticised, so, he said, had many other high officers in the Army, the heads of bureaus and the admirals of the Navy. All had been more or less severey criticised, but they had continued to do their duty as men and officers. officers. Davis spoke only about thirty minutes, and when he closed, at 1.20 o'clock. General Merritt declared the case closed and ordered the room to be vacated by all except the members of the court.

MR. CHOATE RECEIVES INSTRUCTIONS,

WILL SAIL FOR HIS POST IN LONDON THE LATTER PART OF PERRUARY.

Washington, Jan 27.-Joseph H. Cheate, United States Ambassador to Great Britain, had a long inference with Secretary Hay and later with President McKinley to-day. He received his final instructions from Secretary Hay. On leaving the White House he said that he would not sail for London until the latter part of February, and that he might return to Washington again before

NICARAGUA RECOGNIZES MR. MERRY. Washington, Jan. 37.-United States Minister Merry, who has been at his post in Costa Rica for many months awaiting the time when he might secure recognition in his other capacity as United States Minister to Nicaragua, has cabled the State Department that he has at last succeeded. The Government of Nicaragua, again an independent State, has sent him a cordial invitation to appear at the capital and present bis credentials as United States Minister, and he has accepted the invitation.

organized under the laws of New-Jersey, with capital of \$1,000,000, was filed at Trenton yesterday the law firm of Guggenhelmer, Untermyer & Marshall, attorneys for the company. The cor-

THE ST. LOUIS TINPLATE COMPANY.

The charter of the St. Louis Tinplate Company,

porators are Wilson P. Marchbank, B. Benjamin Schiff and Charles N. King. The National Enamelling and Stamping Company, which was incor-porated at Trenton last Saturday, has acquired as was said at the time, both the enamel and tinplate works owned by the St. Louis Stamping Complate works owned by the St. Louis Stamping Com-pany. The St. Louis Timplate Company, just in-corporated at Trenton, has been formed for the purpose of taking title to the timplate works of the St. Louis Stamping Company, the capacity of these mills being 1.500 boxes of timplate a day. Of the capital subscribed, \$59,600 will be used to enlarge the works, the daily output of which, on the com-pletion of the extensions will be 5,000 boxes of tia-plate. This daily product will be about three times as large as would be sufficient to meet the require-ments of the Enamelling and Samping Company, and the surplus output will be sold in the open market.

market.

The new company, it is said, will be an active competitor of the American Tinpinte Company.

2 ond's----extract first soothes, and then permanently cures itching or Intment bleeding piles, fowever severe. It is a specific in all skin diseases, and gives quick relief in butns and bruises. Testimonials from all classes prove its efficacy. Price 60 cents; trialsize 25 cents. All druggists, or sent by mail. Put up only by POND'S EX-TRACT CO., 76 Pitth Av., N.Y. City. There isn't anything "just as good."

WORK OF ENGINEERS AT SANTIAGO

STATEMENT SENT TO THE WAR INVESTIGATING COMMISSION BY THE MILITARY GOV-ERNOR OF HAVANA

Washington, Jan. 27.-There were no witnesses before the War Investigating Commission to-day, but the Commission received and gave out an affi davit from General Ludlow, now Military Governor of Havana, which the General had forwarded in place of personally appearing in type-written statement was principally in answer to the statements of General Miles before the Commission in reference to the lack of preparation made by the Engineer Corps, of which General Ludlow had been the chief officer in the field.

General Ludlow in his statement disclaimed all intention of disrespect toward General Miles before categorically contradicting the latter's testimon;

General Ludlow explained that the press of work in Havana had prevented his earlier attention to the matter, and then continued:

the matter, and then continued:

Having only newspaper clippings which were sent to me by friends, I am without authentic information as to what General Miles really stated to the Commission, and my time in Havana has been so engrossed that no opportunity has offered to draft this statement until now. If these clippings indicate correctly the nature of General Miles's statements, and of the responsibility which is therein made to attach to me for any shortcomings that may be supposed to have existed in connection with the embarkation and disembarkation of the Santlage expedition. I beg leave, disclaiming all intention of disrespect, to express surprise at the statements made.

I had the honer at the time to be attached to General Miles's staff, as chief engineer of the Army in the field, and such orders as I received were given me by him. In the newspaper statements it is represented that I had been ordered by General Miles to supply myself with everything necessary for the disembarkation of the troops in Cuba; that I falled to comply with these instructions, and

orders were to prepare an expedition to land at Mariel, on the north Cuban coast, to ate against' Havana. Only from six the to seven thousand men were to pontoon boats for use as a landing-pier in smooth water. The transport Alamo was equipped for two companies of engineers, and abundantly supalled with the necessary tools, picks, shovels, etc. When the plan of campaign was suddenly changed to the south coast, the Alamo had been loaded for another expedition and was out of reach, and the Siboney were radically different from those at Mariel. Concerning General Miles's instructions General Ludlow then goes on to say:

I was merely ordered in writing to proceed to amps, accompany General Shafter's expedition and render him all the aid in my power." This ray the only formal order I had from General General Ludlow explains that on arriving at

Tampa he found General Shafter had turned over the whole matter of transportation and disembarkation to Colonel Humphreys, of the Quarter master's Department, and General Ludlow ther defence and roads around Santiago. ever, buy two large deck scows at Tampa, one of which was lost en route and the other did in valuable service at Siboney. He also tried to get steam launches to aid in the landing, but it was impossible, and he figured that with the assist ance of the Navy's boats all the force could be landed in one day.

There were orders and countermanding of orders

at Tampa, General Ludlow explains, and he did not know till "just prior to the sailing of the Shafter expedition" whether he was to go with letter from General Miles, announcing that he (Ludiow) was charged with the full rethat he (Ludlow) was charged with the full responsibility of the Shafter expedition's transportation and disembarkation; that he was "unrestricted in his orders and expenditures," and would be held to account for the success or failure of the expedition in these respects. General Ludlow thereupon formally disclaimed this full measure of responsibility, expressing his epinion, however, that the preparations were adequate.

General Ludlow incorporates in his statement a report of a rather warm controversy he had with General Miles at the Army headquarters in Washington after the return from Montauk, in which General Miles had said that General Ludlow's "fighting at Santiago was good, but his engineering was very bad"

General Ludlow said that he had refuted this statement at the time, pointing out that he had done all the engineering work that the time and circumstances permitted; that the Santiago expedition was not an engineering campaign, but a

race between the physical endurance of the Army and the Cuban malaria, and that 'if the Army had stopped to build railroads and bridges, it would have been on its back before the surrender. In conclusion, General Ludlow requested that the Commission should give his statement as much publicity as was given to the statement of Gen-eral Miles. RAILROAD INTERESTS.

B. AND O. UNDER FORECLOSURE SPECIAL MASTERS APPOINTED AND CONTE TIONS OF SALE ARRANGED BUT REOR. GANIZATION MAY PREVENT IT.

Baltimore, Jan. C. United States Circuit Court, to-day handed down a decree for the foreclosure sale of the Baltimore and Ohio Railroad, under the consolidation mor-gage, and appointed A. S. Dunham and Arthur L. gage, and appointed A. S. Dunners are arrived. Spamer special masters to make the sale. They are required to file with the Court, at least ten are required to file with the Court, at least ten are required to file and several bond for are required to hie with the tour. At least tending she for the faithful performance of their dulls. The property is to be sold as an entirety, and the property is to be sold as an entirety. And the The property is to be soid as an entirety, and the sale is to be made on sixty days' notice, to be given by the special masters upon the request of the solicitors of the Mercantile Trust and Deposit Company, of Baitimore, trustee for the consoli. dated mortgage, and is to be at public auction at Camden Station.

Notice of the sale shall be published for six consecutive weeks in at least one newspaper in Baltiin Belmont and Washington counties, Ohlo. The special masters, at the request of the solicitors of Mercantile Trust and Deposit Company, of the Mercantile Trust and property company, of Baltimore, shall adjourn or postpone the sale, and without further notice may proceed with it on any day to which it may be adjourned. They shall receive no bid from any one who shall not first to posit as a piedge that he will make good his bond, in case of its acceptance, the sum of \$256,000, in money by cartined check upon any National bank or true company in New-York or Baltimore, or \$10,00 par value of the bonis, secured by either of the mon-gages foreclosed. Upon the acceptance of any but the purchaser shall at once deposit with the special masters \$500,000 in cash or certified check or \$1.000,000 par value of the bonds, as a pledge. The special masters shall accept no bid less than Ex 000,000, and in case that amount shall not be but they shall adjourn the sale and apply to the Court for further instructions.

Messrs, Dunham and Spamer were appointed special masters by reason of their familiarity with matter of the decree and their accessibility to the parties to the case and others interested. It does follow that because the decree granted the property will be sold under foreclosure The decree will only be availed of in the event the organization managers fall to effect a voluntary settlement with the owners of the securities of the several properties that form the Baltimore and One system. Satisfactory progress has been made a this direction, and the indications are that within short time all the interests will agree upon a If the property is sold the old charter will be come vold. This is one of the most valuable charters ever granted by any State. Besides exempling the company from taxation in Maryland, it confers other privileges not covered by the new charter under which the company could organize.

The od charter saves the company in taxes alone about \$50,000 a year, and it is to save this item that the managers are hastening in effecting valuatory settlements with the owners of the securities. come vold. This is one of the most valuable char

TO MEET ON FEBRUARY 14. ACTION TO BE TAKEN BY STOCKHOLDERS OF THE MINNEAPOLIS AND ST. LOUIS

A special meeting of the stockholders of the Misneapolis and St. Louis Railroad Company is to b held in Minneapolis on February 14 for the purpose of taking action and voting on a series of propositions which are to be presented at the meeting. The stockholders will be asked to ratify and con firm the action of the Board of Directors in pur chasing two lines of railway-the completed part. twenty miles in length, of the Minneapolis New 'Im and Southwestern Railroad Company, extend ing from Winthrop, Minn, on the Minneapolis and St. Louis, to and through New-Ulm, Minn; and ill miles of the Wisconsin, Minnesota and Pacific Rail-road Company, extending from Morton, Mina, to Watertown, S. D. Authority will also be asked for the issue by the company of \$25,000.00 4 per cent rst and refunding gold bonds, to be applied as follows: For paying for the lines of minud to scribed herswith constructing an extension of the Minneapolis, New-Ulm and Southwestern road from New-I'lm to a point on the Illinois Central in less and paying for equipment, rolling stock, motive power and other necessaries for the operation of the lines to be acquired and constructed, bonds to the amount of \$5,300,000: to be reserved for the purpose of refunding and retiring all the bonds of the company now outstanding, \$10,000,000; for the purpose of providing the funds necessary ferred capital stock of the company. \$1,500,000, par value, bonds to the amount of \$2,500,000; to be deposited with the Central Trust Company of New York, as trustee, for the purpose of constructing or buying additional property porate purposes of the company, the rest of the bond issue, about \$7.200,000.

to be invited, in the third place, to authorize the directors to provide for the cancellation and refrement of the first preferred stock, whereupon the amount of the capital stock will be \$10,000,000, and the "second preferred stock" will be known as "preferred stock."

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enjoys a pleasure unless he can share it. The most musical people are the ones who become the greatest enthusiasts, however cold # first, to the idea of music produced by an automatic instrument. PROGRAM: Zampa Oversa Mollan Orchestrelle.

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